

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

RONALDO DESIGNER JEWELRY, INC.

PLAINTIFF

v.

CIVIL ACTION NO. 3:12-cv-00754-HTW-LRA

BEN GILBERT'S, INC.
D/B/A ELISE JEWELRY and
JOHN DOES Numbers 1 through 99

DEFENDANTS

AGREED PERMANENT INJUNCTION

Pursuant to the agreement of the parties, in accordance with Fed.R.Civ.P 65, and this Court being otherwise sufficiently advised, it is hereby ordered and adjudged that the Defendant, Ben Gilbert's Inc. (hereinafter "BGI"), its officers, agents, servants, employees, and all those in active concert and privity with them, are permanently enjoined from copying, manufacturing, reproducing, importing, publishing, displaying, distributing, transmitting, selling, or otherwise placing on the market (1) the jewelry, marketing, and advertising materials which Plaintiff contends infringe upon Plaintiff's copyrights and trade dress, or RONALDO and THE RONALDO COLLECTION trademarks (hereinafter the "Infringing Works") (copies of which Infringing Works are incorporated herein by reference and attached hereto as Exhibit 1); (2) any other jewelry or product substantially or confusingly similar to Plaintiff's "The Power of Prayer Bracelet," "The Wide Power of Prayer Bracelet," "Waverly Bracelet," "Stackable Bracelet," and "Pearl of My Heart" works (copies of which are incorporated herein by reference and attached hereto as Exhibit 2), or (3) any marketing or advertising materials using, incorporating, or containing Plaintiff's RONALDO or THE RONALD COLLECTION trademarks or any mark or term similar thereto.

The Defendant agrees to be bound by the Agreed Permanent Injunction herein and subject to contempt of court if the Defendant violates this injunction. Defendant further agrees that should it violate this injunction, Defendant will submit to the personal jurisdiction of the United States District Court for the Southern District of Mississippi, Jackson Division.

Henry V. Nagle
JUDGE, UNITED STATES DISTRICT COURT

Dated: 12 April 2013

HAVE SEEN AND AGREE:

Marc A. Biggers
MARC A. BIGGERS
UPSHAW WILLIAMS
Post Office Drawer 8230
Greenwood, Mississippi 38935-8230
601-455-1613 (telephone)
601-453-9245 (facsimile)
mbiggers@upshawwilliams.com
Attorney for Ben Gilbert's, Inc. d/b/a
Elise Jewelry

BEN GILBERT'S, INC.
d/b/a ELISE JEWELRY

June Gilbert
By: June Gilbert
Its: President

Ellie B. Word
ELLIE B. WORD, MSB# 100408
ALEC M. TAYLOR, MSB# 102874
KREBS, FARLEY & PELLETERI, PLLC
One Jackson Place
188 E. Capitol Street, Suite 900
Jackson, Mississippi 39201
601-968-6710 (telephone)
601-968-6708 (facsimile)
eword@kfplaw.com
ataylor@kfplaw.com
Attorneys for Plaintiff, Ronaldo Designer
Jewelry, Inc.

RONALDO DESIGNER JEWELRY, INC.

Ron Needham 3-24-13
By: Ronnie Needham
Its: President